

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

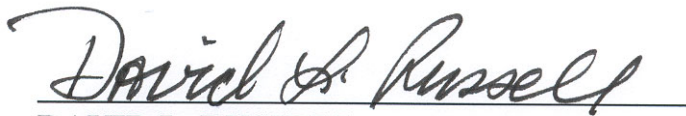
<b>GARLAND M. MANNING,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. CIV 23-484-R</b>
	)	
<b>DEAN LNU, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Upon review of the file and noting no timely objection to the findings and recommendations of United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1), the Court ADOPTS the Report and Recommendation [Doc. No. 11], in its entirety.

For the reasons stated therein, the official capacity claims are dismissed without prejudice, the individual claims against Defendant Rivers are dismissed without prejudice, the claim under the PREA is dismissed with prejudice, and the Fourteenth Amendment claim against Defendant Dean in his individual capacity is allowed to proceed.

IT IS SO ORDERED this 25<sup>th</sup> day of October 2023.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**